TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/699,175
Filing Date	October 31, 2003
First Named Inventor	John R. Bianchi, et al.
Art Unit	3738
Examiner Name	Christopher D. Prone
Attorney Docket Number	MSDI-434/PC316.08

Total Number of Pages in This Submission

ENCLOSURES *(Check all that apply)*

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [✓] Amendment/Reply
  - [✓] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53

- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
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Remarks

- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [✓] Other Enclosure(s) (please Identify below):

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature	*(signature)*		
Printed name	Gregory B. Coy		
Date	June 13, 2007	Reg. No.	40,967

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	*(signature)*		
Typed or printed name	Gregory B. Coy	Date	June 13, 2007

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

In re patent application of:)   Before the Examiner:
Bianchi et al.   )   Christopher D. Prone
)
)
Application of Serial No. 10/699,175   )   Group Art Unit 3738
)
)
Filed October 31, 2003   )   Ref. No. MSDI-434/PC316.08
)
)
OPEN INTERVERTEBRAL SPACER   )   June 13, 2007

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    In response to the Final Office Action dated March 19, 2007, please consider the following. No fees are believed to be required for this submission; however, if any additional fees are deemed necessary, please charge said fees to Deposit Account No. 12-2424, but not to include the payment of any issue fee.